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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MURLI SATAGOPAN and KIM CAMERON

Appeal 2010-002904
Application 10/693,516
Technology Center 2100

Before FRED E. MCKELVEY, KEVIN TURNER, and
THOMAS L. GIANNETTI, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Claims 1-42 are pending in this application. All claims stand finally rejected under 35 U.S.C. § 103(a).

Initially, Appellants appealed all pending rejections. *See* Notice of Appeal. Appellants have indicated in their Brief, however, that they are appealing only as to claims 1, 7, 16, 18, 23, and 35. *See* App. Br 5.

We reverse the final rejection as to the claims on appeal (1, 7, 16, 18, 23, and 35) and dismiss the appeal as to claims 2-6, 8-15, 17, 19-22, 24-34, and 36-42.

The Invention

The application is directed to accessing and publishing documents and other information stored on various computing machines, or nodes, in a distributed communications network. Spec. 1:5-8.

As an example, a publisher's documents may be accessed by a user (referred to as a "principal") through use of a "user-friendly handle" and a machine location for the publisher's computer (sometimes referred to as the "publishing node" or "first computer system") provided by the publisher to the user. Spec. 5:3-8. An email address is an example of a user-friendly handle, and an IP address is an example of a machine location. *Id.* at 4:14-15.

The user-friendly handle provided by the publisher is stored at the user's computer (sometimes referred to as the "accessing node" or "second computer system"). Spec. 5:8-9. When an initial request for access to documents is made from the accessing node to the publishing node, the user-friendly handle is "resolved" at that computer into the machine location for

the publisher's computer. *See* Fig. 1, resolution module 160. The amended request for access to documents is then sent from the accessing node to the machine location of the publishing node. Spec. 5:9-12.

Exemplary Claim

Exemplary claim 1 on appeal reads as follows:

1. A method of accessing documents stored on a first computer system through a second computer system, the first and second computer systems connected in a network environment, said method comprising:

storing at the second computer system an identity information document from the first computer system, the identity information document comprising a user-friendly handle identifying a principal and a machine location of the first computer system;

receiving at a user interface implemented on the second computer system a request for access to documents stored on the first computer system, the request including the user-friendly handle and being directed to the first computer system;

intercepting at the second computer system the request for access to documents from the user of the second computer system when the request includes the user-friendly handle;

replacing *at the second computer* system the user-friendly handle of the request with the machine location; and

sending the request for access to documents to the machine location of the first computer system.

(Emphasis added)

Rejections on Appeal

All independent claims on appeal (claims 1, 7, 23 and 35) are rejected under 35 U.S.C § 103(a) based upon Lui, “Interoperability of Peer-to-Peer File Sharing Protocols” (Aug. 2002), in view of Low US Patent 7,206,304 B1 (Apr. 17, 2007).

The dependent claims (claims 16 and 18) are rejected under 35 U.S.C § 103 (a) over Lui and Low, further in light of Huitema US Patent 7,065,587 B1 (June 20, 2006) (for claim 16) or Boyle US Patent 5,872,847 (Feb. 16, 1999) (for claim 18).

Prior Art

The Lui article describes a peer-to peer system for file exchange (*e.g.* Gnutella, Napster). The Examiner cites a portion of the article describing the message flow in requesting files from another peer. *See* Lui at 29. The Examiner concludes all elements of the independent claims on appeal are found in Lui, except for “replacing *at the second computer system* the user-friendly handle of the request with the machine address.” Ans. 4 (emphasis added).

The Examiner relies on Low for the teachings that are missing from Lui. Low describes a system for placing telephone calls over the Internet. Figure 6 of Low, showing an arrangement for the provision of services in a public-switched telephone network, is reproduced below:

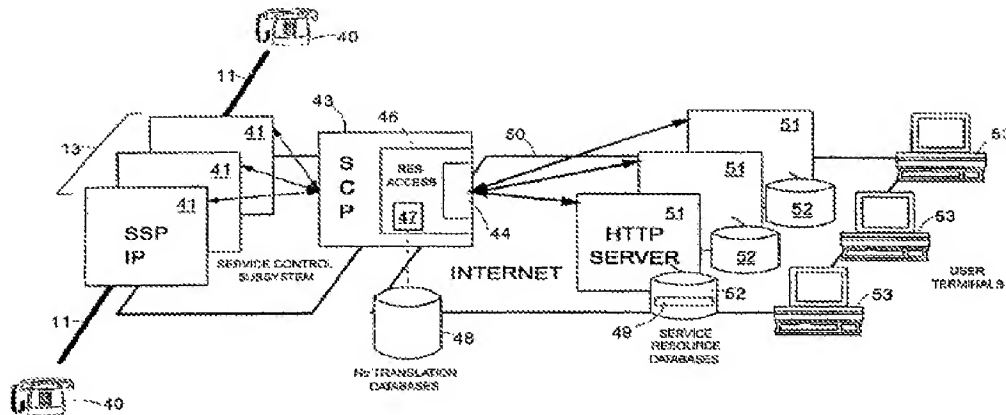


FIG. 6

The system of Low includes a block 47 for determining the URLs of necessary service resources (contained in “phone pages”) stored on database server 49 to access those resources over the Internet. Various schemes for accessing this service resource information are described in Low, but the Examiner focuses on a description of using telephone numbers to arrive at the URL for locating the desired resource on the Internet. *See* Ans. 4 (citing Low 14: 20-55). As is standard, this URL is then resolved into an IP address for the requested site by the Domain Name System (DNS) on the Internet. *See* Low Fig. 11.

ANALYSIS

Rejection of Independent Claims 1, 7, 23, and 35

Appellants’ determinative contention on appeal is that their invention is specifically intended, for security reasons, to avoid the use of the standard DNS for providing an IP address for the publishing computer. *See* App Br.

18. For this reason, in all independent claims on appeal, the “replacement” of the user-friendly handle by a machine address (also referred to in the claims as “resolving” or “amending”) takes place on the second (requesting) computer system, and not on a remote DNS server. Appellants contend that in Low, standard DNS technology operating on separate servers is used to resolve the URLs produced by the system. *Id.* at 17. From this they contend that Low does not teach resolving user-friendly handles on the second (user’s) computer system, a teaching that - according to the Examiner - is missing from Lui. *Id.* at 18.

The Examiner responds to this contention by focusing on the receiving step of claim 1, instead of the resolving step. See Ans. 9-11. The Examiner repeats the finding that Low supplies the user-friendly handle missing from Lui, and points to the description in Low of standard DNS resolution of domain names into IP addresses. *See* Ans. 9-10. The Examiner’s response, therefore, does not address the issue raised by the Appellants that such use of a separate DNS server is contrary to their Specification and their claims.

We agree with Appellants that the Lui/Low combination does not meet all the elements of the independent claims on appeal. We conclude, therefore, that there is insufficient support in the record to sustain the Examiner's rejection of those claims. We reach this conclusion because even if those references were combined, they still fail to meet the requirement of all claims that the resolution of the user-friendly handle into a machine location takes place at the second computer system.

Rejection of Dependent Claims 16 and 18

Claims 16 and 18 depend indirectly from claim 7. They therefore each contain the claim 7 limitation of “resolving *at the accessing node* the user-friendly handle . . . wherein the request is made to the publishing node from a user of the accessing node.” (Emphasis added.) Accordingly, for the reasons discussed above, we conclude that there is insufficient support in the record for the Examiner’s rejection of these claims over the combination of Lui and Low. The references Boyle and Huitema are additionally applied against these claims for specific teachings not related to the issue of where the resolution of the user-friendly handle into a machine location takes place. Thus they do not provide the element missing from the Lui/Low combination that is present in the claims.

DECISION

The Examiner’s rejection of claims 1, 7, 16, 18, 23, and 35 is REVERSED.

The appeal is DISMISSED as to all remaining claims: 2-6, 8-15, 17, 19-22, 24-34, and 36-42.

REVERSED IN PART

DISMISSED IN PART

KMF